

CEPS COMMENTARY

*Thinking ahead for Europe*

The Eastern Partnership after Riga: Review and Reconfirm

Hrant Kostanyan**29 May 2015**

The Riga Summit of 21-22 May 2015 reaffirmed the EU's commitment to the Eastern Partnership, underlined further differentiation between the neighbours and reiterated the importance of people-to-people contacts. The Summit also offered support to eastern neighbours in the face of Russian pressure and to assist them in their implementation of the Association Agreements and the Deep and Comprehensive Free Trade Agreements (DCFTAs). It also restated the goal of seeking a more tailor-made relationship with non-Association Agreement countries. Whilst the Riga Summit did not produce any breakthrough on visa-free travel for Georgians and Ukrainians, it did preserve the commitments already made at the Vilnius Summit by the EU to its eastern neighbours. All in all, the Summit was more of a stocktaking exercise than a momentous redefinition of relations with the EU at a time of precarious geopolitics in the east.

In the lead-up to the Riga Summit and in the midst of the Ukraine crisis and mounting insecurity in the EU's southern neighbourhood, the High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, and the Commissioner for the Neighbourhood, Johannes Hahn were prompted to initiate a review of the European Neighbourhood Policy (ENP), 12 years after its inception.¹ Despite no shortage of questions put forward by the European External Action Service (EEAS) and the Commission in the consultation paper, the lessons offered by the Eastern Partnership Summit at Riga for the review of the ENP writ large are rather modest. This commentary will focus on these lessons.

Keep the ENP 'chapeau'

The EU should keep the ENP as a common platform, while acknowledging that there is indeed little in common between the EU's southern and eastern neighbourhoods. Moreover, while some member states focus more on the Eastern Partnership, i.e., Poland, the Baltic states, and Sweden, others, namely Italy, Spain, and France, place more emphasis on cooperation with the southern neighbourhood. Dividing the ENP is likely to divide the

¹ European Commission, "Towards a new European Neighbourhood Policy: the EU launches a consultation on the future of its relations with neighbouring countries", IP/4548, 4 March 2015.

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This Commentary was produced in the framework of 'The 3DCFTAs' project, which is funded by the Swedish International Development Cooperation Agency (Sida).

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member states themselves, thereby jeopardising any future consensus. It is notable that since the start of the Ukraine crisis, the Eastern Partnership has faced, and so far successfully overcome, the challenge of sustaining unity and solidarity among the EU member states.

Yet keeping the ENP as a common platform should not prevent the EU from responding to the needs of individual regions and countries. What needs to be eliminated from the ENP is the tendency to offer a one-size-fits-all package to both eastern and southern neighbours.

Smart implementation of Association Agreements

Although the review solicits ideas on how to make the ENP more flexible and diversified, this approach is not in line with the Association Agreements and the DCFTAs. Substantively, it will not be possible to radically reframe the EU's relations with Ukraine, Moldova and Georgia. Instead, the focus should be on the smart implementation of regulations and directives included in the Association Agreements and the DCFTA² – going beyond bureaucratic automatism and mere cost-benefit analysis. The implementation should also take into account the political, economic and social context at both local and regional levels, and use the flexibility allowed by the different time schedules for implementation.

The EU can incentivise the implementation of the Association Agreements through financial and technical support, which is indispensable for the process. Yet any successful implementation of agreements requires that domestic elites do their homework and root out systemic corruption. Commenting on corruption, one EU diplomat stated: “When you look at Moldova, you do not know where to start”. A handful of oligarchs govern the country through their political appointees and have little interest in reform because they are the prime beneficiaries of the status quo. Being in a state of war and under dire microeconomic constraints, the process of reform is extremely complicated for Ukraine as well.

The EU should work to strengthen the reformist constituency in all Eastern Partnership countries and not shy away from criticising the political-economic elites. The EU's natural counterparts remain countries with a strong public administration, a healthy private sector and a vibrant civil society. The reformist constituency and the citizens of the Association Agreement countries should be aware that closer association with the EU means thoroughly reforming their administration, legislation, economy and body politic.

Tailor-made but consistent with the non-associated states

Signing the Association Agreements introduced long-awaited diversification into the Eastern Partnership. There is now a need for further diversification among the group of non-Association Agreement countries because levels of motivation and ambition to cooperate with the EU vary across Armenia, Azerbaijan and Belarus. Having no obligation to approximate to the EU allows for relationships that are tailor-made and flexible.

Among the non-DCFTA Eastern Partnership countries, Armenia has been most affected by the geopolitical struggle on the European continent and has had to give up its Association Agreement. Nevertheless, in March 2015 the EU and Armenia successfully completed the so-called ‘scoping exercise’ to identify the legal ground for a future agreement. The European Council is expected to grant the Commission with a mandate shortly for negotiation of an ‘Enhanced Partnership Agreement’, which – like the one with Kazakhstan – will be a test case for a member of the Eurasian Economic Union (EAEU) to seek closer ties with the EU.

While demonstrating no interest in the Association Agreement, Azerbaijan sought a kind of ‘Strategic Dialogue’ with the EU that is free of the conditionality that underpins the Eastern

² These number 302 for Georgia, 333 for Ukraine and 407 for Moldova.

Partnership. On the eve of the Riga Summit, the Azeri foreign minister submitted a position paper setting out the aspirations of Baku for this partnership with the EU. While the EU should pursue the possibility of new tailor-made bilateral relations with Azerbaijan, it should not turn a blind eye to the Azeri authorities using the geopolitical context to further repress critics of the regime.

The absence of Belarus President Alexander Lukashenko at the Riga Summit (despite the interest he expressed in participating in the Summit) stands in contrast to the invitation that was extended to Azerbaijan's President Ilham Aliyev (although Aliyev did not attend the Summit). The EU ruled out an invitation to Lukashenko on the grounds that there are "four political prisoners in Belarus".³ So not only did the EU demonstrate double standards and undermine its credibility in the region, it also failed to use the window of opportunity that was opened with Belarus. The Riga Summit was thus quite consistent with the EU's longstanding inconsistency vis-à-vis its eastern neighbours: it sanctioned Belarus but not Azerbaijan.

The Russian challenge

The Commission's acknowledgement in the consultation paper of the need to deal with the 'neighbours of the neighbours' is something of a novelty. Neither the ENP nor the Eastern Partnership has thus far accounted for the links between Russia and its eastern neighbours. Meanwhile, in recent years, Russia actively used the economic, energy, military and cultural ties with countries in the EU-Russia common neighbourhood to act as a spoiler of the Eastern Partnership. Moreover, when faced with hard military challenges such as those in Ukraine, the Eastern Partnership has proved to be a rather unsuitable instrument.

The EU supports the Minsk II agreement and facilitates trilateral talks on the EU-Ukrainian DCFTA. It would also be advisable for the EU to consider opening technical talks with the Eurasian Economic Union. Indeed, the EAEU is a weak and dysfunctional union, wholly dominated by Russia. But it has seriously impacted most of the countries in the EU-Russia common neighbourhood and Central Asia. The EAEU is therefore a reality and should not be ignored by the EU. Although talks are unlikely to deliver immediate results on difficult issues, they are important to the process. Moreover, discussing trade-related matters with the EAEU as an entity is more advantageous than with Russia alone. It will also give space to Armenia and Belarus to take part in the process. Otherwise, if the EU decides to hold free-trade talks bilaterally with Russia, the decisions will merely be imposed on the EAEU members.

Conclusions

Judging by the outcome of the Eastern Partnership Summit at Riga, we should not expect too much of the ENP review. The review is unlikely to fundamentally alter the EU's relations with Ukraine, Moldova and Georgia, which are governed by the Association Agreement. More differentiation and consistency should be introduced into the EU's relations with non-associated countries, without abandoning the Union's normative agenda. Politically, it is important now for the EU to defend what it already offered to the eastern neighbours and reconfirm the European Neighbourhood Policy as fundamental to the EU's rethink of its larger Security Strategy.

³ According to one EU diplomat.